

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

UNITED STATES OF AMERICA

v.

DOCKET No. 2:19-cr-00149-JDL

MERCADO et al

MOTION FOR FURTHER DISCOVERY

NOW COMES the Defendant, by and through his undersigned counsel, and moves for further discovery, as follows:

1. The Defendant is charged with a Hobbs Act Robbery, and 924(c) count.
2. The evidence discloses that two armed masked men robbed an individual at gunpoint in his home.
3. The two armed masked men were alleged to be Steven Hardy and Eric Mercado.
4. Following the instant robbery, another robbery of the same individual occurred at his home, again involving two masked men carrying firearms. Upon information and belief the alleged victim was shot on this second occasion.
5. Initially, the U.S. Attorney's Office suspected Steven Hardy of being one of the two masked men involved in the second robbery.
6. Now, according to the U.S Attorney's Office, two other men are being charged in the second robbery.
7. Neither of these individuals allegedly involved in the second robbery are either Steven Hardy or Eric Mercado.
8. The discovery related to the second robbery is potentially exculpatory. Despite this, it has not been provided to the Defendant.

WHEREFORE, the Defendant moves for disclosure of the additional discovery related to the second arrest for robbery of the same alleged victim.

DATED: January 23, 2020

/s/ Robert A. Levine

Robert A. Levine, Esquire
Bar #3845
Attorney for Defendant
17 South Street
Portland, ME 04101
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CERTIFICATE OF SERVICE

I hereby certify that I have today filed the foregoing DEFENDANT'S MOTION FOR FURTHER DISCOVERY using the CM/ECF system, which will cause a copy to be sent to the AUSA Dan Perry, and to Attorneys John Webb, and Amy Fairfield.

DATED: January 23, 2020

/s/ Robert A. Levine

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